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Attorney Docket No.: 019281-000900US

Assistant Commissioner for Patents Washington, D.C. 20231

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TOWNSEND and TOWNSEND and CREW LLP

By: Hara a. Ohles

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Technology Center 2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

John J. Sie et al.

Application No.: 09/687,149

Filed: October 12, 2000

For: PROGRAMMING DISTRIBUTION

SYSTEM

Examiner:

Art Unit:

2711

INFORMATION DISCLOSURE

STATEMENT UNDER 37 CFR §1.97 and

§1.98

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

John J. Sie et al.

Application No.: 09/687,149

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representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

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Applicant believes that <u>no fee is required</u> for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Thomas D. Franklin Reg. No. 43,616

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PTO/SB/21 (08-00) Please type a plus sign (+) inside this box -> + Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE perwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 09/687.149 **Application Number 郊RANSMITTAL** October 12, 2000 Filing Date **First Named Inventor** Sie, John J. all correspondence after initial filing) **Group Art Unit** 2711 **Examiner Name** Technology Center 2600 Total Number of Pages in This Submission Attorney Docket Number 019281000900 ENCLOSURES (check all that apply) Assignment Papers After Allowance Communication to Fee Transmittal Form (for an Application) Group Appeal Communication to Board of Fee Attached Drawing(s) Appeals and Interferences Appeal Communication to Group Amendment / Response Licensing-related Papers (Appeal Notice, Brief, Reply Brief) Petition Routing Slip (PTO/SB/69) After Final Proprietary Information and Accompanying Petition Petition to Convert to a Affidavits/declaration(s) Status Letter Provisional Application Power of Attorney, Revocation Other Enclosure(s) Extension of Time Request Change of Correspondence Address (please identify below): Terminal Disclaimer PTO/SB/08A Express Abandonment Request Request for Refund Return Postcard CD, Number of CD(s) Copies of 13 references cited The Commissioner is authorized to charge any additional fees to Certified Copy of Priority Remarks Deposit Account 20-1430. Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Townsend and Townsend and Crew LLP and Thomas D. Franklin Reg No. 43,616 Individual name Signature 01 Date 0

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known **Application Number** 09/687,149 **Filing Date** October 12, 2000 **First Named Inventor** John J. Sie Group Art Unit 2711 **Examiner Name**

(use as many sheets as necessary)

Attorney Docket Number 019281-000900US

Technology Center 2600

00/		U.S. PATENT DOCUMENTS							
OEVARATION Examiner Initials	Cite No.1	U.S. Patent Document Kind Code ² (if known)		Name of Patentee or Applicant of Cited Document		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
					Date of Publication of Cited Document MM-DD-YYYY				
	AA	5,130,792		Tindell et al.	07-14-1992	•			
	AB	5,619,249		Billock et al.	04-08-1997				
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	AE	6,163,272		Goode et al.	12-19-2000				
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	AH	6,233,389	B1	Barton et al.	05-15-2001				
	Al	6,233,607	B1	Taylor et al.	05-15-2001				
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	AK	6,253,375	B1	Gordon et al.	06-26-2001				
	AL	6,282,207	B1	Lerman et al.	08-28-2001				

OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS							
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2				
	AM	Ciciora, Walter; James Farmer; David Large; Modern Cable Television Technology: Video, Voice, and Data Communications; Morgan Kaufmann Publishers, Inc.; 1999; Chapter 16; pp. 659-688					

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¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.